

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-20 are pending. No amendments have been made to the claims.

In the Office Action, Claims 1, 3 and 11 are rejected under 35 U.S.C. § 103(a) (hereinafter, "Section 103(a)") as being unpatentable over Aravamudan et al. (U.S. Pat. No. 6,301,609, hereinafter, "Aravamudan") in view of Ilsen et al., (U.S. Patent No. 6,757,898, hereinafter "Ilsen").

Claim 2 is rejected under Section 103(a) as being unpatentable over Aravamudan and Ilsen and further in view of Gerace (U.S. Pat. No. 5,848,396, hereinafter, "Gerace").

Claim 4 is rejected under Section 103(a) as being unpatentable over Aravamudan and Ilsen and further in view of Kraft (U.S. Pat. No. 6,309,305, hereinafter, "Kraft").

Claims 5 and 6 are rejected under Section 103(a) as being unpatentable over Aravamudan and Ilsen and further in view of and McDowell (U.S. Patent Publication No. 2001/0034224, hereinafter, "McDowell").

Claims 7, 9, 10, 13, 17 and 19 are rejected under Section 103(a) as being unpatentable over Aravamudan and Ilsen and further in view of Patil (U.S. Pat. No. 6,625,460, hereinafter, "Patil").

Claim 8 is rejected under Section 103(a) as being unpatentable over Aravamudan and Ilsen in further view of Smith et al. (U.S. Pat. No. 6,333,973, hereinafter, "Smith").

Claim 12 is rejected under Section 103(a) as being unpatentable over Aravamudan, Ilsen and Patil and further in view of Gerace.

Claim 14 is rejected under Section 103(a) as being unpatentable over Aravamudan, Ilsen and Patil and further in view of Kraft.

Claims 15 and 16 are rejected under Section 103(a) as being unpatentable over Aravamudan, Ilsen and Patil and further in view of McDowell.

Claims 18 and 20 were rejected under Section 103(a) as being unpatentable over Aravamudan, Ilsen and Patil and further in view of Smith.

Applicant respectfully traverses all rejections and requests reconsideration.

A. REJECTION UNDER SECTION 103(A), ARAVAMUDEN IN VIEW OF ILSSEN

Claims 1, 3 and 11 were rejected under Section 103(a) as being unpatentable over Aravamudan in view of Ilsen. In rejecting the independent claims 1 and 11 as being unpatentable over Aravamudan and Ilsen, the Examiner stated that Aravamudan teaches all the claim limitations of claims 1 and 11 but does not teach “sending notification of said unique identifier to said prospective user at the client specific address of the prospective user, either confirming the registering of the prospective user if the initial receiving was associated with a direct request to register from the prospective user; or inviting registration of the prospective user if the initial receiving was associated with a request to register from someone other than the prospective user.” The Examiner further stated that Ilsen provides this particular deficiency of Aravamudan and “therefore it would have been obvious to combine the teaching of [Aravamudan] with the teaching of Ilsen of “sending notification of said unique identifier to said prospective user at the client specific address of the prospective user, either confirming the registering of the prospective user if the initial receiving was associated with a direct request to register from the prospective user; or inviting registration of the prospective user if the initial receiving was associated with a request to register from someone other than the prospective user in cases where unique identifiers of user information are not met.” (Office Action, pg. 4, underlined language not part of claim but read in by Examiner).

Applicant respectfully traverses Examiner’s rejection as explained below.

As explained in M.P.E.P. Section 706.02(j):

*To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of*

*success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.*

The three above-mentioned criteria must exist at the time the claimed invention was made, according to the text of Section 103(a) itself. The Examiner has not established a prima facie case of obviousness using Aravamudan and Ilsen for at least the reasons stated below.

Aravamudan and Ilsen

Aravamudan discusses a user proxy is registered to the user with an instant messaging system as a personal communication services platform. (Aravamudan, col. 2, lines 31-33). A user contacts the service provider to obtain integrated IM service. The user is prompted for and selects a password which is entered into a provisioning server database. Other required administrative and account information is also exchanged at this time. (Aravamudan, col. 6, lines 37-44). The user (no longer a prospective user) is provided with provisioning software for use with his client premises equipment (CPE). The user must then install the provisioning software on his CPE devices. The user must then connect to the provider's secure provisioning server and register, via his CPE by entering his selected password, when prompted. Thereafter, the service provider registers the address of the user's IM server and provisions the client CPE software (previously installed) with a unique identification. (Aravamudan, col. 6, lines 45-53).

Ilsen discusses a system for providing automated, electronic communications between a health-care provider and a plurality of users for the purpose of providing a simple, reliable and effective interface for rapidly exchanging inquiries, responses, data, services and

information between the both parties for the mutual benefit and satisfaction of each. (Ilsen, col. 1, lines 6-12)

### **1. References Do Not Teach Or Suggest All Claim Limitations**

#### **Aravamudan, Ilsen, Claims 1 and 11**

Applicant's claim 1 and claim 11 require at least "**automatically** allocating a unique identifier to the **prospective user**". However, not ALL of the elements of claims 1 and 11 are taught in Aravamudan, contrary to Examiner's citing of col. 6, lines 50-55. (Office Action, pg. 3).

Aravamudan does not teach "automatically allocating a unique identifier to the prospective user". The disclosure of Aravamudan is slightly contrived but upon careful study of the teachings described in column 6, Aravamudan teaches a prospective user who has first completed user and password formalities before receiving provisioning software to use with the client's premises equipment (CPE). It is only upon installing such software and then "logging in" to the secure server is the address of the user's IM server registered and the previously installed CPE software is provisioned with a unique ID. Such teaching fails to show "automatically allocating" but rather the user must go through various intermediary steps, not automatic, before the unique identifier is finally allocated. In addition, the prospective user, at the point of completing registration is no longer a prospective user, but is now an existing user of the system who must "connect and register, via his CPE, to the provider's secure provisioning server by entering his selected password". (Aravamudan, col. 6, lines 48-49). Such password was previously selected when the user was a prospective user. (Aravamudan, col. 6, 37-39). At the time of provisioning the previously installed CPE

software, the user is an existing user, no longer a prospective user, and already recognized in the system. In essence there is no “automatic” allocation of a unique identifier to a “prospective user” in Aravamudan. A previously password assigned user, must first install the provisioning software, then log on to the service provider’s facility in order to complete registration. Therefore, because Aravamudan does not teach “automatically allocating a unique identifier to the prospective user”, it is apparent that Aravamudan fails to teach the required limitations of claims 1 and 11.

Ilsen fails as well in providing the deficiencies of Aravamudan as previously discussed in Applicant’s arguments filed April 11, 2005. It is shown that Ilsen does not teach, either expressly or inherently, automatic allocation of unique identifier to a prospective user of an IM system. Furthermore, Applicant reiterates the contention that there is no prospective user automatically allocated a unique ID of the system in Ilsen, but rather existing patients who have repository records on file that must meet a match. “In order to validate a patient’s login attempt, the user’s name and password must exist in the ePPi database”. (Col. 30, lines 9-10). Ilsen just authenticates the identity of its existing patients; it does not assign a registration identity for prospective users of an IM system. Applicant has studied the cited support by Examiner in Ilsen to col. 30, lines 9-36. Examiner also states that “he or she must be assigned a users name and a password which is provided by the ePPi system after the user has provided required information i.e. registration” (Office Action page 2). Such teachings demonstrate that the patient is NOT a prospective user, but an existing and validated user. Thus, none of the references, Aravamudan or Ilsen, in combination teach “automatic allocation of a unique identifier to the prospective user”.

Moreover, Applicant's claims 1 and 11 require "sending notification of said unique identifier to said prospective user at the client specific address of the prospective user, either: confirming the registering of the prospective user if the initial receiving was associated with a direct request to register from the prospective user; or inviting registration of the prospective user if the initial receiving was associated with a request to register **from someone other than the prospective user**". Examiner asserts that Aravamudan fails to provide such elements and turns to Ilsen to provide for these elements in Col. 30, lines 22-26. (Office Action, pg. 3). However, Ilsen discloses only that "a 'welcome on-line' e-mail message to the user with instructions for first-time login" is sent. (Col. 30, lines 25-26). Such an "e-mail message" sent to the user does NOT teach that a notification has been sent to a "prospective user at the client specific address of the prospective user". For one thing, the user of Ilsen, is not a "prospective user" as required by claim 1, but rather, the user is an "existing patient" whose identification is already in a record in a repository. (Ilsen, col. 30, lines 16). Secondly, as required in claims 1 and 11 along with "confirming the registering of the prospective user" the notification alternatively "**invites** registration of the prospective user if the initial receiving was associated with a request to register **from someone other than the prospective user**".

Contrary to Examiner's assertion, this element of "inviting registration" of the "prospective user" when the request to register is "from someone other than the prospective user" is in no manner disclosed in Ilsen. Examiner also reads into the claim language of "in cases where unique identifiers of user information are not met". (Office Action, page 4). Such language is nowhere found in claims 1 or 11. As mentioned, the action in Ilsen is made by an existing patient, NOT a "prospective user" and neither is there any support as asserted

by Examiner in col. 30, lines 22-26, of “inviting registration” in the event the “request to register [is] from someone other than the prospective user”. In fact, in either scenario, the one claimed or the one read into the claim by Examiner, there is no teaching of such language. It is only when there is a match to a record in a repository, is the user sent “a welcome on-line e-mail message...However, if an exact match cannot be found for the user who has signed up, the information collected from the sign up form is held in an exception list. Then, an administrator at the practice has the ability to manually review the list and either validate or reject the sign up request.” (Ilsen, col. 30, lines 22-26, 31-35). Applicant respectfully requests the Examiner to point out where in Ilsen, is there any teaching of “the initial receiving was associated with a request to register from someone other than the prospective user” or of any “inviting registration of the prospective user”. Applicant has reviewed the cited lines 22-26, where there is a failure to disclose such language of claims 1 and 11. As none of these required elements is disclosed in Ilsen, there is no showing of a prima facie case of obviousness for failure to teach ALL elements of the claim.

Thus, none of the references Aravamudan or Ilsen teach at least “sending notification of the unique identifier to the prospective user at the client specific address of the prospective user, either: confirming registering via a direct request from the prospective user or inviting registration via a request to register from someone other than the prospective user”.

Therefore, Aravamudan in light of Ilsen fail to teach or suggest ALL claim limitations as required to establish a prima facie case of obviousness. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 1 and 11 under Section 103(a).

**2. No Suggestion Or Motivation, Either In The References Themselves Or In The Knowledge Generally Available To One Of Ordinary Skill In The Art, To Modify The Reference Or To Combine Reference Teachings**

There is no motivation or suggestion to modify or combine the teachings of Ilsen with those of Aravamudan to obtain the limitations of the claims of an authorization/registration system for an IM application for prospective users. The nature of the problem to be solved by Applicant would not lead one to use Ilsen as a reference dealing with a medical patient interface system and neither would it supplement the disclosure of Aravamudan. These references are concerned with very different problems to be solved. Aravamudan deals with setting up an account for a user already assigned a password and who has first installed the provider's software and Ilsen deals with already existing users of a system.

Neither reference has any motivation to be combined in providing for the claimed element of "automatically allocating a unique identifier to a prospective user". As mentioned, Aravamudan does not have automatic allocation of the unique identifier to the prospective user, rather, the user must first obtain a password, then obtain the provisioning software, then install the software onto his device, then log-in to the provider's server to obtain a unique identification for the software. This process is not "automatic" and teaches away from "automatically allocating" by requiring several intermediate procedures. As such, there is no motivation in Aravamudan for automatically allocating a unique identifier to the prospective user.

Ilsen also does not provide automatic allocation of anything "if an exact match cannot be found for the user who has signed up" (Ilsen, col. 30, lines 31-32). Thus, Ilsen teaches away from automatic allocation of a unique identifier by teaching that the limitation is simply



not automatic, but *conditional* on information matched to *already exiting user information as shown by database*. Ilsen requires the user to be, in a sense, “pre-registered” and identified by the system before an automatic username and password are allocated to the user. Thus, unlike Applicant’s invention, there is no means in Ilsen for automatic allocation of a unique identifier to prospective users of the system, i.e. unregistered users. Ilsen just authenticates the identity of its existing patients; it does not assign a registration identity for prospective users of an IM system. Thus, there is no objective reason to combine the references Aravamudan or Ilsen, for obtaining the limitation of “automatically allocating a unique identifier to the prospective user”.

Additionally, in Aravamudan, as described by Examiner in the Office Action, pg. 3, there is no teaching of “inviting registration of the prospective user if the initial receiving was associated with a request to register from someone other than the prospective user”. As mentioned above, Ilsen further fails to teach the limitations of “tentatively registering an account” or “inviting registration” let alone “if the initial receiving was associated with a request to register from someone other than the prospective user.” Neither is there any motivation or suggestion apparent in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings to provides for such limitations. Aravamudan provides no invitation and Ilsen deals with direct registrations of existing patients (not tentative, not invited, not a request from someone other than a prospective user, and not of prospective users). Accordingly, no prima facie case of obviousness can be established for claims 1 and 11.

Thus, two of the three elements required for a rejection under Section 103(a) are missing with regard to claims 1 and 11. The lack of any one of the three elements would

make claims 1 and 11 allowable over the teachings of Aravamudan in light of Ilsen. The above-described actual lack of two elements even more clearly makes claims 1 and 11 allowable over Aravamudan and Ilsen.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 1 and 11 under Section 103(a).

Dependent Claim 3

Dependent claim 3 includes all limitations of its respective base claim 1. Accordingly, Applicant respectfully submits that claim 3 is allowable for at least the same reasons as base claim 1, and requests withdrawal of the rejection of claim 3 under Section 103(a).

B. Rejection Under Section 103(a), Aravamudan and Ilsen in view of Gerace

Claim 2 depends on and includes all limitations of respective base claim 1. The deficiencies of Aravamudan and Ilsen have been discussed above in connection with claim 1. Gerace does not supply the deficiencies of Aravamudan and Ilsen.

In addition, it is held that Gerace discusses a unique identifier, however, Gerace is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a method for assigning a unique identifier to a prospective user of an IM system as shown in claim 1. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 2 under Section 103(a).

C. Rejection Under Section 103(a), Aravamudan and Ilsen in view of Kraft

Claim 4 depends on and includes all limitations of respective base claim 1. The deficiencies of Aravamudan and Ilsen have been discussed above in connection with claim 1. Kraft does not supply the deficiencies of Aravamudan and Ilsen.

In addition, it is held that Kraft only discusses the contents of an SMS message with an email address sender ID, not an "email-based client application" for accessing a messaging system. (Kraft, col. 5, lines 17-18). Kraft is further devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a method for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 4 under Section 103(a).

D. Rejection Under Section 103(a), Aravamudan and Ilsen in view of McDowell

Claims 5 and 6 depend on and include all limitations of their respective base claim 1. The deficiencies of Aravamudan and Ilsen have been discussed above in connection with claim 1. However, McDowell simply does not supply the deficiencies of Aravamudan and Ilsen. Accordingly, Applicant respectfully submits that claims 5 and 6 are allowable for at least the same reasons as is claim 1.

McDowell is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a method or system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 5 and 6 under Section 103(a).

E. Rejection Under Section 103(a), Aravamudan and Ilsen in view of Patil

Claims 7, 9, 10, 13, 17 and 19 depend on and include all limitations of their respective base claims 1, 7 and 17. Claims 7 and 17 each depend on respective base claim 1. The deficiencies of Aravamudan and Ilsen have been discussed above in connection with claim 1. However, Patil simply does not supply the deficiencies of Aravamudan and Ilsen. Accordingly, Applicant respectfully submits that claims 7, 9, 10, 13, 17 and 19 are allowable for at least the same reasons as is claim 1.

In addition, it is held that Patil may discuss an SMS method where messages can be sent to members of a distribution list composed of different address types (Patil, col. 4, lines 48-50). However, Patil is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a method or system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 7, 9, 10, 13, 17 and 19 under Section 103(a).

F. Rejection Under Section 103(a), Aravamudan and Ilsen in view of Smith

Claim 8 depends on and includes all limitations of respective base claim 1. The deficiencies of Aravamudan and Ilsen have been discussed above in connection with claim 1. Smith does not supply the deficiencies of Aravamudan and Ilsen.

In addition, Smith may discuss a message handling system where messages of all types can be accessed from a central location (Smith, Abstract). However, Smith is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a method for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 8 under Section 103(a).

G. Rejection Under Section 103(a), Aravamudan, Ilsen and Patil in view of Gerace

Claim 12 depends on and includes all limitations of respective base claim 7. Claim 7 depends on base claim 1. The deficiencies of Aravamudan, Ilsen and Patil have been discussed above in connection with claim 1. Gerace does not supply the deficiencies of Aravamudan, Ilsen and Patil.

Gerace is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 12 under Section 103(a).

H. Rejection Under Section 103(a), Aravamudan, Ilsen and Patil in view of Kraft

Claim 14 depends on and includes all limitations of respective base claim 7. Claim 7 depends on base claim 1. The deficiencies of Aravamudan, Ilsen and Patil have been

discussed above in connection with claim 1. Kraft does not supply the deficiencies of Aravamudan, Ilsen and Patil.

Kraft is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 14 under Section 103(a).

I. Rejection Under Section 103(a), Aravamudan, Ilsen and Patil in view of McDowell

Claims 15 and 16 depend on and include all limitations of respective base claim 7. Claim 7 depends on base claim 1. The deficiencies of Aravamudan, Ilsen and Patil have been discussed above in connection with claim 1. McDowell does not supply the deficiencies of Aravamudan, Ilsen and Patil.

McDowell is devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 15 and 16 under Section 103(a).

J. Rejection Under Section 103(a), Aravamudan, Ilsen and Patil in view of Smith

Claim 18 and 20 depend on and include all limitations of their respective base claim 7 and 17. Claims 7 and 17 each depend on respective base claim 1. The deficiencies of Aravamudan, Ilsen and Patil have been discussed above in connection with claim 1. Smith does not supply the deficiencies of Aravamudan, Ilsen and Patil.

Both Smith and Patil are devoid of any suggestion or motivation for combination with the other cited references in providing for the claimed limitations of a system for assigning a unique identifier to a prospective user of an IM system. Applicant's claimed invention as a whole is not obvious.

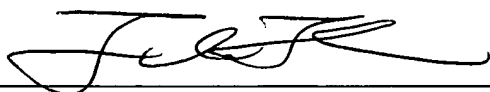
Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 18 and 20 under Section 103(a).

II. CONCLUSION

The above-discussed remarks are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above amendments, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

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